

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MANUEL A. CABALLERO-ZUNIGA,

Plaintiff,

vs.

SARPY COUNTY DISTRICT COURT,
STEFANIE MARTINEZ, Honorable;
SCOTT EARL, County Attorney; and
LEE POLIKOV, District Attorney,

Defendants.

4:20CV3025

**MEMORANDUM
AND ORDER**

On October 6, 2020, the court granted Plaintiff 30 days within which to file an amended complaint. (Filing 9.) Plaintiff has filed a motion (Filing 10) to extend that deadline to six months due to restricted library access at his institution caused by the current COVID-19 pandemic. Attached to Plaintiff's motion is a letter from the Nebraska State Penitentiary ("NSP") warden indicating that the NSP law library has been inaccessible to inmates since August 29, 2020, and only photocopy and check-out services became available to inmates on September 8, 2020.

In light of the fact that the NSP library is not completely inaccessible to inmates because of check-out and photocopy services, Plaintiff's motion shall be granted in part.

IT IS ORDERED:

1. Plaintiff's Motion for Time Extension to file an amended complaint (Filing 10) is granted in part;

2. Plaintiff shall file his amended complaint on or before December 21, 2020, in the absence of which this matter may be dismissed without prejudice for failure to prosecute this matter; and

3. The Clerk of the Court is directed to set the following pro se case management deadline: December 21, 2020—amended complaint due.

DATED this 20th day of October, 2020.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge